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C O N F I D E N T I A L SECTION 01 OF 02 BEIRUT 001318

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TAGS: [PREL](#) [PGOV](#) [PINR](#) [KJUS](#) [LE](#) [SY](#)  
SUBJECT: HARIRI'S DAMASCUS TRIP COMPLICATED BY SYRIAN  
WARRANTS FOR LEBANESE OFFICIALS

REF: BEIRUT 1305

Classified By: Charge d'Affaires a.i. Thomas F. Daughton for  
reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: Lebanese Justice Minister Ibrahim Najjar confirmed on December 10 that the GOL had received "warrants" for 23 former and current Lebanese officials and journalists to appear before the Syrian judiciary. The warrants were issued in connection with a case brought in a Syrian court by former General Jamil al-Sayyed, who alleges that those named provided false testimony that led to his detention for four years in connection with the assassination of former Lebanese Prime Minister Rafik Hariri. The official reaction from the GOL has been deliberately muted, according to Naji Abi Assi, DG of the Presidency. Mohammad Chatah, a senior advisor to PM Saad Hariri, characterized the issue as Syria seeing how far it could go without provoking a reaction from Hariri. Some in Hariri's inner circle have dismissed the warrants as "theatrical," but are upset that the PM has not reacted. The warrants complicate preparations for Hariri's planned visit to Damascus. The names of those listed in the warrants are detailed in paragraph 7. End Summary.

#### SYRIA ISSUES WARRANTS

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¶2. (SBU) The Syrian judiciary issued a total of 29 court summons (described by the Lebanese press as "warrants") in connection with a case filed in Syrian court by former Lebanese General Jamil al-Sayyed. Al-Sayyed, who was detained for four years in connection with the assassination of Rafik Hariri in 2005, was released in April 2009 due to lack of evidence. According to the press, al-Sayyed alleges that current and former Lebanese officials, Lebanese journalists and several Syrian nationals provided "false witness" against him in the Hariri investigation. The news of the warrants, first reported in Beirut on December 7, was initially denied by both Justice Minister Ibrahim Najjar and Foreign Minister Ali al Chami, who claimed Syria had made no official notification to proper Lebanese authorities. In response, Syria announced it would resubmit the warrants through proper diplomatic channels. The warrants were resubmitted by the Syrian embassy in Beirut to the MFA, then passed to the ministry of justice. Najjar confirmed on December 10 that the summons had been received and would be reviewed internally to confirm that they met all legal standards. He said his ministry would provide a legal opinion on next steps.

¶3. (SBU) Several individuals close to Prime Minister Saad Hariri are included among the 23 Lebanese names reported in the press. The most prominent of them are former ministers Marwan Hamadeh and Charles Rizk, Hariri media advisor Hani Hammoud, and journalists with Hariri's Al-Moustaqbal and Future TV media outlets. Other notable personalities include a former MP; the chief Lebanese prosecutor working with the Special Tribunal for Lebanon and other judges; and Internal

Security Forces (ISF) personnel, including Director General Ashraf Rifi.

GOL OFFICIAL REACTION MUTED

14. (C) One day prior to Najjar's official announcement Najj Abi Assi, Director General of the Presidency and close advisor to President Michel Sleiman, told Charge that there would be "very little" official Lebanese reaction to the request from the Syrian judiciary. He said this was deliberate in order to avoid a "distraction" during the parliamentary debate leading up to the vote of confidence for the new government (reftel) and prior to Sleiman's visit to Washington. Mohammad Chatah, senior advisor to PM Hariri, told us December 10 that he suspected Syria was testing the limits of how far it could go before provoking a reaction from Hariri. He surmised that Syria would continue to push but would stop short of derailing Hariri's planned visit to Damascus, noting that the press was reporting that a senior Syrian government official had denied any knowledge of the warrants.

15. (C) Hariri's political allies, Labor Minister Boutros Harb and March 14 SecGen Fares Souaid, echoed similar themes. Harb supposed that the warrants were an attempt by Syria to reassert its influence in Lebanon, while Souaid told poloff that Hariri was considering canceling his Damascus trip. Following Najjar's confirmation of receipt of the warrants, Souaid confirmed to polstaff that Hariri's circle of advisors -- particularly Hammoud and others named in the warrants -- were "upset" that Hariri had said little about the matter,

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either privately or publicly. Souaid and the others believed Hariri "should do more," he said. Souaid also worried that if the Lebanese judiciary did not accept Syria's request or declined to respond, Syria would complicate matters further by seeking Interpol's involvement. MP Marwan Hamadeh dismissed the summons as a "theatrical gesture," but called on the Lebanese information, justice and interior ministers to take strong stances against the move.

16. (C) COMMENT: It is unclear how the GOL will respond to the warrants, but Hariri's silence has been deafening, particularly since even his inner circle of advisors was targeted. Although the SARG defends the warrants as being the product of an independent judiciary, most Lebanese consider them to be condoned, if not instigated, by the SARG. What is certain is that the warrants complicate plans for a Hariri visit to Syria in the near future. If he goes to Syria without those advisors named in the summons, he arrives weakened; if he arrives with them, Syria may seek to question them; if he cancels his trip altogether, his stated goal of paving the way for "good brotherly relations with Syria" will be jeopardized. End comment.

THOSE SUMMONED

17. (SBU) According to the press, the 23 Lebanese named in the warrants are as follows:

Former ministers (3)

Marwan Hamadeh, former Minister of Telecommunications, current MP  
Charles Rizk, former Minister of Justice  
Hassan el-Sabeh, former Minister of the Interior

Former MPs (1)

Elias Attallah

Judges (3)

Sa'id Mirza, Chief Prosecutor  
Sakr Sakr, Military Prosecutor  
Elias Eid

Internal Security Forces personnel (5)

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Director General Ashraf Rifi  
Wissam al-Hassan  
Samir Shehadeh  
Houssam al-Tanoukhi  
Khaled Mahmoud

Lebanese journalists (8)

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Fares Khashan, formerly with Al-Mustaqbal  
Hani Hammoud, media advisor to PM Hariri  
Omar Harkous, Al-Mustaqbal  
Salam Moussa, independent  
Ayman Shrouf, independent  
Hassan Sabra, Al-Shira'a Magazine  
Zahra Badran, independent  
Nadim Monla, Future TV

Miscellaneous (3)

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Johnny Abdo, former Lebanese ambassador to France  
Brigadier General (retired) Mohammad Farshoukh  
Adnan Baba

DAUGHTON